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Please deliver the following page(s) to:

Name: Examiner Scott Priebe, Ph.D.
Group Art Unit: 1805 of US PTO

From: Janet E. Hasak, Reg. No. 28,616

Number of Pages including this cover sheet: 3

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COMMENTS

Re: U.S. Ser. No. 08/448,946 filed May 24, 1995 (Attorney Docket 175C2)

Dear Examiner Priebe:

Enclosed for consideration and entry by the Group Director of 1800 is a Request for Further Suspension of Action by the Office under MPEP §709 (2 pages).

Patent Docket P0175C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	Group Art Unit: 1805
Arjun Singh	Examiner: S. Priebe
Serial No.: 08/448,946	
Filed: 24 MAY 1995	
For: USE OF ALPHA FACTOR SEQUENCES IN YEAST EXPRESSION SYSTEMS	

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REQUEST FOR FURTHER SUSPENSION OF ACTION BY THE OFFICE UNDER
MPEP §709

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: Group Director, 1800
Sir:

1. Petition was made on July 22, 1996 and granted on August 29, 1996 to suspend action by the Office in the above-identified application. Since the six-months maximum time for suspension has now expired, applicants are hereby requesting a second suspension of action by the Office in the above-identified application for a further maximum period of six months. There are no outstanding responses due in this application.

2. The reason for filing the first Petition is that there are overlapping claims between this application and that of the parent application, U.S. Ser. No. 07/552,719, which is involved in an interference (No. 102,728). Final briefs were recently filed with the Board of Appeals and Interferences regarding this interference. Since the interference is not resolved and involves claims overlapping with claims in the instant application, petitioners believe that MPEP §709.01 applies. In accordance with MPEP §709.01, where there are overlapping claims the Examiner is requested to suspend prosecution of the application pending the final determination of priority in the interference. This constitutes good and sufficient cause because, for example, there is

U.S.S.N. 08/448,946

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an obviousness-type double patenting rejection in the above-identified application, and while the parent application is involved in an interference, petitioners are unable to prosecute the claims therein. The Petitions Office granted the first Petition based on the above showing. Since there has been no final resolution of priority of the interference during the last six months when the above application was suspended, applicants hereby request a second suspension for the maximum six-month period.

3. If there is any fee required for this Request for Further Suspension, the fee is to be charged to Deposit Account No. 07-0630. Please charge any deficiency or credit any overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: April 3, 1997

By: Janet E. Hasak
Janet E. Hasak
Reg. No. 28,616

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